

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Central District of California
(State)

Case number (if known): _____ Chapter 7

☐ Check if this is an
amended filing

Official Form 205

Involuntary Petition Against a Non-Individual

12/15

Use this form to begin a bankruptcy case against a non-individual you allege to be a debtor subject to an involuntary case. If you want to begin a case against an individual, use the *Involuntary Petition Against an Individual* (Official Form 105). Be as complete and accurate as possible. If more space is needed, attach any additional sheets to this form. On the top of any additional pages, write debtor's name and case number (if known).

Part 1: Identify the Chapter of the Bankruptcy Code Under Which Petition Is Filed

**1. Chapter of the
Bankruptcy Code**

Check one:

- ☒ Chapter 7
☐ Chapter 11

Part 2: Identify the Debtor

2. Debtor's name

Stewart Homes Inc.

**3. Other names you know
the debtor has used in
the last 8 years**

5 Star Homes

Include any assumed
names, trade names, or
doing business as names.

**4. Debtor's federal
Employer Identification
Number (EIN)**

☐ Unknown

33-0766476 _ _ _ _
EIN

5. Debtor's address

Principal place of business

11810 Beach Blvd

Number Street

Stanton

City

CA

State

90680

ZIP Code

Orange

County

Mailing address, if different

Number Street

P.O. Box

City

State

ZIP Code

**Location of principal assets, if different from
principal place of business**

Number Street

City

State

ZIP Code

Debtor Stewart Homes, Inc.

Name

Case number (if known) _____

6. Debtor's website (URL)	<u>https://5starhomes.com/</u>
7. Type of debtor	<input checked="" type="checkbox"/> Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) <input type="checkbox"/> Partnership (excluding LLP) <input type="checkbox"/> Other type of debtor. Specify: _____
8. Type of debtor's business	<i>Check one:</i> <input type="checkbox"/> Health Care Business (as defined in 11 U.S.C. § 101(27A)) <input type="checkbox"/> Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B)) <input type="checkbox"/> Railroad (as defined in 11 U.S.C. § 101(44)) <input type="checkbox"/> Stockbroker (as defined in 11 U.S.C. § 101(53A)) <input type="checkbox"/> Commodity Broker (as defined in 11 U.S.C. § 101(6)) <input type="checkbox"/> Clearing Bank (as defined in 11 U.S.C. § 781(3)) <input checked="" type="checkbox"/> None of the types of business listed. <input type="checkbox"/> Unknown type of business.
9. To the best of your knowledge, are any bankruptcy cases pending by or against any partner or affiliate of this debtor?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Debtor _____ Relationship _____ District _____ Date filed _____ Case number, if known _____ MM / DD / YYYY Debtor _____ Relationship _____ District _____ Date filed _____ Case number, if known _____ MM / DD / YYYY

Part 3: Report About the Case

10. Venue	<i>Check one:</i> <input checked="" type="checkbox"/> Over the last 180 days before the filing of this bankruptcy, the debtor had a domicile, principal place of business, or principal assets in this district longer than in any other district. <input type="checkbox"/> A bankruptcy case concerning debtor's affiliates, general partner, or partnership is pending in this district.
11. Allegations	Each petitioner is eligible to file this petition under 11 U.S.C. § 303(b). The debtor may be the subject of an involuntary case under 11 U.S.C. § 303(a). <i>At least one box must be checked:</i> <input checked="" type="checkbox"/> The debtor is generally not paying its debts as they become due, unless they are the subject of a bona fide dispute as to liability or amount. <input type="checkbox"/> Within 120 days before the filing of this petition, a custodian, other than a trustee, receiver, or an agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.
12. Has there been a transfer of any claim against the debtor by or to any petitioner?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Attach all documents that evidence the transfer and any statements required under Bankruptcy Rule 1003(a).

Debtor STEWART HOMES, INC.,
Name

Case number (if known) _____

13. Each petitioner's claim	Name of petitioner	Nature of petitioner's claim	Amount of the claim above the value of any lien
	Capital (360) Inc.	Money Loaned	\$ 5,560,209.87
	Mobile Direct LLC	Money Loaned	\$ 30,741,403.00
	Mobile Direct 2 LLC	Money Loaned	\$ 5,507,275.00
		Total of petitioners' claims	\$ 41,808,888

If more space is needed to list petitioners, attach additional sheets. Write the alleged debtor's name and the case number, if known, at the top of each sheet. Following the format of this form, set out the information required in Parts 3 and 4 of the form for each additional petitioning creditor, the petitioner's claim, the petitioner's representative, and the petitioner's attorney. Include the statement under penalty of perjury set out in Part 4 of the form, followed by each additional petitioner's (or representative's) signature, along with the signature of the petitioner's attorney.

Part 4: Request for Relief

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Petitioners request that an order for relief be entered against the debtor under the chapter of 11 U.S.C. specified in this petition. If a petitioning creditor is a corporation, attach the corporate ownership statement required by Bankruptcy Rule 1010(b). If any petitioner is a foreign representative appointed in a foreign proceeding, attach a certified copy of the order of the court granting recognition.

I have examined the information in this document and have a reasonable belief that the information is true and correct.

Petitioners or Petitioners' Representative

Name and mailing address of petitioner

Capital (360) Inc.

Name

27068 La Paz Rd Suite 292

Number Street

Aliso Viejo CA 92656
City State ZIP Code

Name and mailing address of petitioner's representative, if any

Frank Arlasky - President

Name


27068 La Paz Rd Suite 292

Number Street

Aliso Viejo CA 92656
City State ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 10-6-23
MM / DD / YYYY

x 
Signature of petitioner or representative, including representative's title

Attorneys

William J. Wall

Printed name

Wall & Son

Firm name, if any

26895 Aliso Creek Rd. #B-110


Number Street

Aliso Viejo CA 92656
City State ZIP Code

Contact phone 949-387-4300 Email wwall@wall-law.com

Bar number 203970

State California

x 
Signature of attorney

Date signed 10/07/23
MM / DD / YYYY

Debtor STEWART HOMES, INC.,

Name

Case number (if known)

Name and mailing address of petitioner

Mobile Direct LLC

Name

2000 Mallory Lane, Suite 290

Number Street

Franklin

TN

37067

City

State

ZIP Code

Name and mailing address of petitioner's representative, if any

Donald D. Burke, Jr. - Managing Member

Name

2000 Mallory Lane, Suite 290

Number Street

Franklin

TN

37067

City

State

ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

10/07/2023
MM / DD / YYYY

x

[Signature]
Signature of petitioner or representative, including representative's title

William J. Wall

Printed name

Wall & Son

Firm name, if any

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State

California

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[Signature]
Signature of attorney

Date signed

10/07/23
MM / DD / YYYY

Name and mailing address of petitioner

Mobile Direct 2 LLC

Name

2000 Mallory Lane, Suite 290

Number Street

Franklin

TN

37067

City

State

ZIP Code

Name and mailing address of petitioner's representative, if any

Donald D. Burke, Jr. - Managing Member

Name

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